

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NATIONAL LABOR RELATIONS BOARD,

Petitioner,

Case No. 1:07-cv-782

v.

Hon. Gordon J. Quist

J & D MASONRY, INC., et al,

Defendants.

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**ORDER**

Pending before the court is the Petitioner's Motion for Sanctions (docket no. 50). For the reasons more fully stated on the record at the hearing held this date, the court determines that this is essentially a discovery motion and that the discovery sought has now been provided, thus rendering the motion moot. There is one item that was not clearly requested but which respondent is willing to provide, if at all, within fourteen (14) days of this order, and that is the 940's and 941's, and any backup documents, pertaining to employee withholding during the period July 1, 2006 to July 11, 2007.

The parties intend to submit supplemental briefs on the issue of garnishment, but will not be permitted to rely upon as exhibits any documents which have been requested through discovery and which have not been provided.

The motion is DENIED as moot. No costs.

IT IS SO ORDERED.

Dated: April 30, 2008

/s/ Hugh W. Brenneman, Jr.  
HUGH W. BRENNEMAN, JR.  
United States Magistrate Judge

